

HOUSE BILL REPORT

SB 5172

As Passed House:
April 5, 2011

Title: An act relating to authorizing the use of short-term, on-site child care for the children of facility employees.

Brief Description: Authorizing the use of short-term, on-site child care for the children of facility employees.

Sponsors: Senators Brown, Harper, Baumgartner, Kohl-Welles, Keiser, McAuliffe and Kline.

Brief History:

Committee Activity:

Early Learning & Human Services: 3/8/11, 3/18/11 [DP].

Floor Activity:

Passed House: 4/5/11, 94-0.

Brief Summary of Bill

- Authorizes specific facilities to provide unlicensed child care for up to two hours when the child's parent/legal guardian is on the premises for employment purposes.

HOUSE COMMITTEE ON EARLY LEARNING & HUMAN SERVICES

Majority Report: Do pass. Signed by 6 members: Representatives Kagi, Chair; Roberts, Vice Chair; Walsh, Ranking Minority Member; Hope, Assistant Ranking Minority Member; Goodman and Orwall.

Minority Report: Do not pass. Signed by 1 member: Representative Overstreet.

Staff: Megan Palchak (786-7120).

Background:

The Department of Early Learning (DEL) regulates child care in Washington, and requires licensure of any person, firm, partnership, association, corporation, or facility that provides

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child care outside a child's home. However, the following are exempt from the DEL child care licensing requirements:

- specific categories of relatives;
- legal guardian(s);
- persons who care for a neighbor's or friend's child or children, with or without compensation, where the person providing care for periods of less than 24 hours does not conduct such activity on an ongoing, regularly scheduled basis for the purpose of engaging in business;
- parents on a mutually cooperative basis who exchange care of one another's children;
- nursery schools or kindergartens that are engaged primarily in educational work with preschool children and in which no child is enrolled on a regular basis for more than four hours a day;
- schools, including boarding schools, engaged primarily in education, operate on a definite school year schedule, follow a stated academic curriculum, accept only school-age children, and do not accept custody of children;
- seasonal camps of three months or less engaged primarily in recreational or educational activities;
- facilities providing child care for less than 24 hours while the child's parent remains on the premises to participate in activities other than employment;
- agencies that have been in business since 1957 and supported in part by an endowment or trust fund and which does not seek or accept assistance from any state or federal agency;
- an agency operated by local, state, or federal government or an agency located within the boundaries of a federally recognized Indian reservation;
- an agency located on a military base, unless the military authorities have requested that the agency be licensed by the DEL; and
- an agency that offers early learning and support services and does not provide child care services on a regular basis.

Summary of Bill:

The bill exempts the following from the DEL licensing requirements: facilities providing child care for less than 24 hours when a parent or legal guardian of the child remain on the premises of the facility for employment purposes, for up to two hours per day. Such facilities must be operated by a nonprofit entity that operates a licensed child care program at the same facility in another location or at another facility.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) The YMCA in Spokane has a licensed child care facility on-site and a short-term drop-in facility which is not licensed. Fitness instructors are technically unable to use the

short-term drop-in facility because they are on the premises for employment purposes. This causes instructors to use the licensed care facility, which is problematic because there are many low-income families who are members of the YMCA in need of licensed care. This bill would address a glitch in the rules to allow facility employees to use short-term, on-site, unlicensed child care, and will free up space in licensed child care in the same facility for members. The drop-in facility is held to the same quality standards as the licensed facility.

(Neutral) Typically, the DEL would not endorse unlicensed care. However, since this bill authorizes short-term unlicensed care at a facility that is otherwise licensed, the DEL is fine with this exemption.

(Opposed) None.

Persons Testifying: (In support) Senator Brown, prime sponsor; and Rig Riggins, YMCA of the Inland Northwest.

(Neutral) Amy Blondin, Department of Early Learning.

Persons Signed In To Testify But Not Testifying: None.